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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 18th July, 1986:—

BILL No. 73 OF 1986

A Bill further to amend the Commissions of Inquiry Act, 1952.

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Commissions of Inquiry (Amendment) Act, 1986.

(2) It shall be deemed to have come into force on the 14th day of May, 1986.

Amendment of Act 60 of 1952.

2. In section 3 of the Commissions of Inquiry Act, 1952 (hereinafter referred to as the principal Act), after sub-section (4), the following sub-sections shall be inserted, namely:—

"(5) The provisions of sub-section (4) shall not apply if the appropriate Government is satisfied that in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or in the public interest, it is not expedient to lay before the House of the People or, as the case may be, the Legislative Assembly of the State, the report, or any part thereof, of the Commission on the inquiry made by the Commission under sub-section (1), and issues a notification to that effect in the Official Gazette.

(6) Every notification issued under sub-section (5) shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State, if it is sitting, as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its re-assembly, and the appropriate Government shall seek the approval of the House of the People or, as the case may be, the Legislative Assembly of the State, to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People or, as the case may be, the Legislative Assembly of the State and if the House of the People or, as the case may be, the Legislative Assembly of the State makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be.".

Repeal and saving.

3. (1) The Commissions of Inquiry (Amendment) Ordinance, 1986, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Sub-section (4) of section 3 of the Commission of Inquiry Act, 1952 provides that the appropriate Government shall cause to be laid before the House of the People or, as the case may be, the Legislative Assembly of the State, the report, if any, of any Commission on the inquiry made by it together with a memorandum of the action taken thereon, within a period of six months of the submission of the report by the Commission to the appropriate Government.

2. To provide for the situations where the fulfilment of the statutory obligation to lay the report of the Commission before the House of the People or the Legislative Assembly of a State involves practical difficulties or where a Commission of Inquiry is appointed to inquire into sensitive matters of public importance and the inquiry report may contain matters of sensitive nature on account of which it may not be desirable in the public interest to lay such report before the House of the People or the Legislative Assembly, the Commissions of Inquiry Act, 1952 was amended by the Commissions of Inquiry (Amendment) Ordinance, 1986 (6 of 1986) promulgated by the President on the 14th May, 1986. The Ordinance inserted two new sub-sections (5) and (6) in section 3 of the Act. New sub-section (5) provides that the provisions of sub-section (4) of the said section 3 shall not apply in cases where the appropriate Government, being satisfied that in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or in the public interest, it is not expedient to lay such report before the House of the People or the Legislative Assembly of the State, issues a notification to that effect in the Official Gazette. By virtue of the new sub-section (6), the appropriate Government is required to lay every notification issued under sub-section (5) before the House of the People or the Legislative Assembly and seek approval thereon within the period mentioned therein.

3. The Bill seeks to replace the aforesaid Ordinance

NEW DELHI;

The 3rd July, 1986. BUTA SINGH.

SUBHASH C. KASHYAP,
Secretary-General.

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